

FEB 28 1997

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IN THE  
**Supreme Court of the United States**

OCTOBER TERM, 1996

ASSOCIATES COMMERCIAL CORPORATION,  
v. *Petitioner,*

ELRAY RASH AND JEAN RASH,  
*Respondents.*

On Writ of Certiorari to the  
United States Court of Appeals  
for the Fifth Circuit

JOINT APPENDIX

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The following documents have been reproduced as appendices to the Petition for a Writ of Certiorari and the Plaintiff's Opposition to Respondents' Motion to Dismiss for Mootness:

Opinion, United States Bankruptcy Court, Eastern District Texas, Beaumont Division (Jan. 11, 1993) .....	Pet. App. 110a
Panel Opinion, United States Court of Appeals for the Fifth Circuit (Sept. 13, 1994) .....	Pet. App. 100a
Panel Opinion, on Petition for Rehearing, United States Court of Appeals for the Fifth Circuit (Aug. 16, 1995) .....	Pet. App. 89a
Memorandum Opinion, United States District Court, Eastern District Texas, Beaumont Division (unreported) (Sept. 15, 1993) .....	Pet. App. 83a
Opinion, United States Court of Appeals for the Fifth Circuit (en banc) (July 30, 1996) .....	Pet. App. 1a
Respondents' Reply to Movants Emergency Motion for Stay of Order Pending Appeal and Request for Expedited Hearing .....	Opp. to Mot. to Dismiss App. 1a

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

Docket No. 92-10305

Chapter 13

IN RE: ELRAY RASH and JEAN RASH,  
*Debtor.*

RELEVANT DOCKET ENTRIES

DATE	NR.	PROCEEDINGS
3/18/92	1	Voluntary Petition And Matrix all schedules and statements. (Filing Fee \$120.00 Receipt #49291) (dh) [EOD 03/19/92]
3/18/92	3	Chapter 13 Plan. (dh) [EOD 03/19/92]
4/28/92	6	Response By Debtor Jean E. Rash, Debtor Elray Rash To [5-1] Motion To Lift Stay by Creditor Associates Commercial Corporation. (kh) [EOD 05/04/92]
5/1/92	5	Motion By Creditor Associates Commercial Corporation To Lift Stay. (pm) [EOD 05/01/92]
5/5/92	—	Preliminary Hearing Re: [5-1] Motion To Lift Stay by Creditor Associates Commercial Corporation scheduled For 9:00 5/19/92 at Beaumon District Ctrm, 1st Fl. (mr) [EOD 05/05/92]
5/5/92	7	Certificate of Mailing Re: [0-0] Hearing, [5-1] Motion To Lift Stay by Creditor Associates Commercial Corporation # of notices: 6. (mr) [EOD 05/05/92]



DATE	NR.	PROCEEDINGS
5/14/92	11	Objection By Debtor Jean E. Rash, Debtor Elray Rash To Claim of Associates Commercial Corporation. (pm) [EOD 05/14/92]
5/14/92	12	Notice By Creditor Associates Commercial Corporation To Perfect Interest In Assignments Of Rents. (pm) [EOD 05/14/92]
5/14/92	13	Motion By Creditor Associates Commercial Corporation To Prohibit Use Of Cash Collateral. (pm) [EOD 05/15/92]
5/15/92	—	Hearing Re: [13-1] Motion To Prohibit Use Of Cash Collateral by Creditor Associates Commercial Corporation Scheduled For 9:00 6/16/92 at Beaumont District Ctrm, 1st Fl, [11-1] Claims Objection by Debtor Elray Rash, Jean E. Rash Scheduled For 9:00 6/16/92 at Beaumont District Ctrm, 1st Fl. (st) [EOD 05/15/92]
5/15/92	14	Certificate of Mailing Re: [0-0] Hearing, [13-1] Motion To Prohibit Use Of Cash Collateral by Creditor Associates Commercial Corporation, [11-1] Claims Objection by Debtor Elray Rash, Jean E. Rash # of notices: 37. (st) [EOD 05/15/92]
5/19/92	15	Hearing Held Re: [5-1] Motion To Lift Stay by Creditor Associates Commercial Corporation. Final Hearing on MTLs set for 6/16/92 @ 1:30 in Beaumont, Texas. ASP remains in effect. (mr) [EOD 05/19/92]
5/19/92	—	Final Hearing Re: [5-1] Motion To Lift Stay by Creditor Associates Commercial Corporation scheduled For 1:30 6/16/92 at Beaumont District Ctrm, 1st Fl. (mr) [EOD 05/19/92]
5/22/92	18	Response By Debtor Jean E. Rash, Debtor Elray Rash To [13-1] Motion To Prohibit

DATE	NR.	PROCEEDINGS
		Use Of Cash Collateral by Creditor Associates Commercial Corporation. (pm) [EOD 05/26/92]
5/26/92	19	Objection By Creditor Associates Commercial Corporation To Confirmation Of Plan. (pm) [EOD 05/26/92]
6/16/92	22	Hearing Held Re: [13-1] Motion To Prohibit Use Of Cash Collateral by Creditor Associates Commercial Corporation, [11-1] Claims Objection by Debtor Elray Rash, Jean E. Rash, [5-1] Motion To Lift Stay by Creditor Associates Commercial Corporation. Court combined Final Hearing on MTLs by Associates Commercial Corp. set for 1:30 this date with two matters set for hearing at 9:00; Court took evidence on all matters addressed; Motion to Prohibit Use of Cash Collateral first, Motion denied and order signed in open court; Court took objection to claim and final hearing on MTLs by Associates Commercial Corp. is taken under advisement. Counsel was welcome to submit briefs on those issues. (tn) [EOD 06/18/92]
6/16/92	—	[11-1] Claims Objection by Debtor Elray Rash, Jean E. Rash, [5-1] Motion To Lift Stay by Creditor Associates Commercial Corporation Under Advisement As Of: 6/16/92. (tn) [EOD 06/18/92]
6/17/92	23	Order Denying [13-1] Motion To Prohibit Use Of Cash Collateral by Associates Commercial Corporation. (tn) [EOD 06/18/92]
6/18/92	—	Hearing Re: [21-1] Claims Objection by Debtor Elray Rash, Jean E. Rash scheduled For 10:00 7/22/92 at Beaumont District Ctrm, 1st Fl. (mr) [EOD 06/18/92]

DATE	NR.	PROCEEDINGS
6/18/92	24	Certificate of Mailing Re: [0-0] Hearing, [21-1] Claims Objection by Debtor Elray Rash, Jean E. Rash # of notices: 6. (mr) [EOD 06/19/92]
6/26/92	26	Brief/Memorandum By Creditor Associates Commercial Corporation In Support Of [13-1] Motion To Prohibit Use Of Cash Collateral by Creditor Associates Commercial Corporation (pm) [EOD 06/29/92]
7/17/92	28	Motion By Debtor Jean E. Rash, Debtor Elray Rash To Continue Hearing Re: ([3-1] Chapter 13 Plan) . (tn) [EOD 07/20/92]
7/20/92	29	Brief/Memorandum By Debtor Jean E. Rash, Debtor Elray Rash In Support Of [11-1] Claims Objection by Debtor Elray Rash, Jean E. Rash . (tn) [EOD 07/20/92]
7/20/92	30	Order Granting [28-1] Motion To Continue Hearing Re: ([3-1] Chapter 13 Plan) by Elray Rash, Jean E. Rash Confirmation Hearing Reset To 10:00 8/26/92 At Beaumont District Ctrm, 1st Fl . (tn) [EOD 07/22/92]
7/27/92	33	Certificate Of Notice By Robert E. Barron for Debtor Jean E. Rash, Debtor Elray Rash Re: [30-1] Order Continuing Confirmation Hearing set 8/26/92 in Beaumont at 10:00 a.m. . (pm) [EOD 07/27/92]
9/14/92	—	Confirmation Hearing rescheduled For 9:00 10/28/92 at Beaumont District Ctrm, 1st Fl (pm) [EOD 09/14/92]
9/14/92	35	Certificate Of Notice By Trustee Michael Gross Re: [0-0] Confirmation Hearing. 38 Notices mailed. (pm) [EOD 09/14/92]
9/29/92	36	Motion By Creditor Associates Commercial Corporation For Adequate Protection. (*Deficiency prepared for no proposed Order form

DATE	NR.	PROCEEDINGS
		and Motion does not contain proper objection language.) (pm) [EOD 09/30/92]
10/28/92	—	Hearing Re: [3-1] Chapter 13 Plan Confirmation Hearing Schd For 9:00 1/20/93 At Beaumont District Ctrm, 1st Fl. Continued in open court. (kh) [EOD 10/30/92]
11/12/92	37	Transcript of Hearing Held on 6/16/92. (tn) [EOD 11/12/92]
1/8/93	38	Findings of Fact and Conclusions of Law By Judge Donald R. Sharp Re: [11-1] Claims Objection by Debtor Elray Rash, Jean E. Rash, [5-1] Motion To Lift Stay by Creditor Associates Commercial Corporation. (tn) [EOD 01/11/93]
1/8/93	39	Order Granting [11-1] Claims Objection by Elray Rash, Jean E. Rash, Denying [5-1] Motion To Lift Stay by Associates Commercial Corporation. (tn) [EOD 01/11/93]
1/19/93	40	First Amended [3-1] Chapter 13 Plan Filed By Debtor Jean E. Rash, Debtor Elray Rash. (pm) [EOD 01/19/93]
1/19/93	41	Amended Schedules J And Certificate of Service. (pm) [EOD 01/19/93]
1/20/93	42	Motion By Creditor Associates Commercial Corporation To Continue Hearing Re: ([3-1] Chapter 13 Plan). (pm) [EOD 01/20/93]
1/20/93	43	Motion By Creditor Associates Commercial Corporation to Stay [39-1] Order Denying Associates Commercial Corporations' Motion for Relief from Stay Pending Appeal (pm) [EOD 01/20/93]
1/20/93	44	Notice Of Appeal By Associates Commercial Corporation Appeal Designation Due: 2/1/93 Re: [39-1] Order Denying Associates Com-



DATE	NR.	PROCEEDINGS
		mercial Corporation's Motion for Relief from Stay. (*Letter noticing that Notice of Appeal filed and re: filing of Appellant's Designation sent this date to Robert Barron, P.O. Box 1347, Nederland, TX 77627; Michael Gross, 110 N. College, Ste. 1400, Tyler, TX 75702; Elray and Jean Rash, 716 N. Austin St., Jasper, TX 75951; and U.S. Trustee, 110 N. College, 300 NCNB Tower, Tyler, TX 75702. pm) [EOD 01/20/93] [Edit date 01/20/93]
1/20/93	46	Hearing Held Re: [3-1] First Amended Chapter 13 Plan. Motion for Continuance filed 1/20/93 is Denied. Plan is Confirmed. Order signed. (pm) [EOD 01/21/93]
1/20/93	47	Order Confirming First Amended Chapter 13 Plan. (pm) [EOD 01/21/93]
1/21/93	45	Transcript of Hearing Held on June 16, 1992. (hra) [EOD 01/21/93]
1/25/93	49	Order Denying [42-1] Motion To Continue Hearing Re: ([3-1] Chapter 13 Plan) by Associates Commercial Corporation. (tn) [EOD 01/25/93]
2/1/93	52	Notice Of Appeal By Associates Commercial Corporation Appeal Designation Due: 2/11/93 Re: [47-1] Confirming Chapter 13 Plan Order. Notice of Appeal Letter mailed 2/1/93 to: Ben Aderholt, 1360 Post Oak Blvd. Ste 2300, Houston, TX 77056; Joel P Kay & David McClain, 3700 First City Tower, Houston, TX 77002; Robert Barron, P O Box 1347, PO Box 1347, Nederland, TX 77627; Micheal Gross, 110 North College, Ste 1400, Tyler, TX and the U.S. Trustee, 110 North College, 300 NCNB Tower, Tyler TX. (sl) [EDO 02/01/93]

DATE	NR.	PROCEEDINGS
2/1/93	—	Notice of Appeal Letter mailed 2/1/93 (sl) [EDO 02/01/93]
2/4/93	53	Order Denying [43-1] Motion To Stay [39-1] Order Denying Associates Commercial Corporations' Motion for Relief from Stay Pending Appeal by Associates Commercial Corporation (sl) [EOD 02/05/93]
2/5/93	54	Designation and Statement of Issues By Associates Commercial Corporation Of Contents For Inclusion In Record On Appeal Re: [44-1] Appeal Notice by Creditor Associates Commercial Corporation; (sl) [EOD 02/09/93]
2/8/93	55	Response By Debtor Jean E. Rash, Debtor Elray Rash To [43-1] Motion To Stay [39-1] Order Denying Associates Commercial Corporations' Motion for Relief from Stay Pending Appeal by Creditor Associates Commercial Corporation. (sl) [EOD 02/09/93]
2/10/93	56	Designation and Statement of Issues By Associates Commercial Corporation Of Contents For Inclusion In Record On Appeal Re: [52-1] Appeal Notice by Creditor Associates Commercial Corporation; (sl) [EOD 02/10/93] [Edit date 02/10/93]
2/16/93	57	Appellee's Designation by Jean E. Rash, Elray Rash Of Contents For Inclusion In Record On Appeal Re: [44-1] Appeal Notice by Creditor Associates Commercial Corporation; (sl) [EOD 02/17/93]
2/17/93	58	Designation By Jean E. Rash, Elray Rash Of Contents For Inclusion In Record On Appeal Re: [52-1] Appeal Notice by Creditor Associates Commercial Corporation; (sl) [EOD 02/18/93]

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

No. 1:93-CV-0078

IN RE RASH,

*Debtor*

ASSOCIATES COMMERCIAL CORPORATION,  
*Plaintiff*

vs.

ELROY AND JEAN RASH,  
*Defendants.*

RELEVANT DOCKET ENTRIES

DATE	NR.	PROCEEDINGS
2/23/93	1	CERTIFICATION of transmittal of record on appeal (bst)
2/23/93	2	Designation by Elray Rash, Jean E Rash of record on appeal (bst)
2/23/93	3	Notice by Associates Commercial Corporation's Designation of Items to be included in record on appeal (bst)
2/23/93	4	Bankruptcy record on appeal received (bst) [Edit date 02/23/93]
2/23/93	5	Notice of docketing bankruptcy record on appeal—appealing Associates Commercial Corporation Appeal Designation Due: 2/1/93 Re: Order Denying Associates Commercial Corporation's Motion for Relief from Stay. Appellant's brief due 3/10/93 for Assoc Commercial (bst) [Edit date 02/23/93]

DATE	NR.	PROCEEDINGS
2/23/93	—	Record on Appeal to Judge Cobb (bst)
5/27/93	7	Brief filed by Assoc Commercial (jel) [Entry date 06/02/93] [Edit date 06/02/93]
6/15/93	9	Appellate Brief filed by Elray Rash, Jean E Rash (bjs) [Entry date 06/18/93]
6/25/93	10	Joint Motion by Assoc Commercial, Elray Rash, Jean E Rash to consolidate cases (bjs) [Entry date 06/28/93]
6/28/93	11	Reply Brief filed by Assoc Commercial (bjs)
8/12/93	12	Order granting [10-1] motion to consolidate cases; that 1:93cv78 and 1:93cv79 are consolidated in 1:93cv78, the style of the case to remain unchanged. (signed by Judge Howell Cobb) cc attys 8/17/93 (bjs) [Entry date 08/17/93]
9/15/93	14	Memorandum Opinion that the decision of the Bankruptcy Court is Affirmed OB Ref: v242 p127 (signed by Judge Howell Cobb) cc: attys 9-16-93 (fxc) [Entry date 09/16/93]
9/24/93	15	Judgment that the decisions of the Bankruptcy Court are AFFIRMED. OB Ref: v242 p160 (signed by Judge Howell Cobb) cc attys 9/27/93 (bjs) [Entry date 09/27/93]
9/24/93	—	Case closed (bjs) [Entry date 09/27/93]
9/27/93	16	Notice of appeal by Assoc Commercial Fee Status of the memorandum opinion which affirmed the decision of the bankruptcy court: paid \$105, receipt 61781 (notice of appeal and docket sheet sent to Fifth Circuit) Appeal record due on 10/27/93 cc: attys 9-27-93 (fxc)
10/1/93	17	Notice of appeal by Assoc Commercial from the final judgment entered 9-24-93 (notice of



DATE	NR.	PROCEEDINGS
		appeal and docket sheet sent to Fifth Circuit) Appeal record due on 11/1/93 (fxc) [Entry date 10/05/93]
10/5/93	—	Notice of Mailing of Document #: 17. cc: attys (fxc)
10/6/93	18	Amended Notice of appeal by Assoc Commercial appealing from the final judgment entered in this cause. (notice of appeal and docket sheet sent to Fifth Circuit) (fxc) [Entry date 10/08/93]
10/20/93	—	Notice of Docketing ROA from USCA Re: [18-1] appeal USCA NUMBER: 93-5396 (bjs)
11/12/93	19	Motion by Assoc Commercial to supplement notice of appeal filed 10/1/93 in order to correct the name of counsel for the debtors (bjs) [Entry date 11/17/93]
11/12/93	—	USCA appeal fee: \$105.00 #62827 [18-1] appeal (bjs) [Entry date 11/17/93]

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

\_\_\_\_\_  
No. 93-5396

ASSOCIATES COMMERCIAL CORPORATION,  
*Plaintiff*

vs.

ELROY AND JEAN RASH,  
*Defendants.*

\_\_\_\_\_  
RELEVANT DOCKET ENTRIES

DATE	PROCEEDINGS
10/14/93	Bankruptcy case docketed. NOA filed by Appellant Assocs Cmercl Corp in 93-5396 . [93-5396] (mrb) [93-5396]
10/14/93	Bankruptcy case docketed. NOA filed by Appellant Assocs Cmercl Corp in 93-5397 . [93-5397] [93-5397]
10/14/93	Additional Appeal docketed. [93-5396, 93-5397] (mrb) [93-5396 93-5397]
10/14/93	Bankruptcy case docketed. NOA filed by Appellant Assocs Cmercl Corp in 93-5398 . [93-5398] (mrb) [93-5398]
10/14/93	Additional Appeal docketed. [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]
12/10/93	Record on appeal filed. Volumes: 4 . [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]
1/31/94	Appellant's Brief filed by Appellant Assocs Cmercl Corp in 93-5396, Appellant Assocs Cmercl Corp in 93-5397, Appellant Assocs Cmercl Corp in 93-



DATE	PROCEEDINGS
	5398 . Copies of brief: 7 # of pages: 37. Sufficient [Y/N]: y . [93-5396, 93-5397, 93-5398] A/Pet's Brief ddl satisfied. E/Res's Brief due on 3/2/94 for Jean E Rash in 93-5396, for Elray Rash in 93-5396, for Jean E Rash in 93-5397, for Elray Rash in 93-5397, for Jean E Rash in 93-5398, for Elray Rash in 93-5398 . (mrb) [93-5396 93-5397 93-5398]
2/3/94	Record excerpts filed by Appellant Assocs Cmercl Corp in 93-5396, Appellant Assocs Cmercl Corp in 93-5397, Appellant Assocs Cmercl Corp in 93-5398 # of copies: 4 Sufficient [Y/N]: y . [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]
2/28/94	Brief filed by Appellee Elray Rash in 93-5396, Appellee Jean E Rash in 93-5396, Appellee Elray Rash in 93-5397, Appellee Jean E Rash in 93-5397, Appellee Elray Rash in 93-5398, Appellee Jean E Rash in 93-5398. Copies of Brief: 7 # of pages: 34. Sufficient [Y/N]: y . [93-5396, 93-5397, 93-5398] E/Res's Brief ddl satisfied. Reply Brief due on 3/14/94 for Assocs Cmercl Corp in 93-5396, for Assocs Cmercl Corp in 93-5397, for Assocs Cmercl Corp in 93-5398. (mrb) [93-5396 93-5397 93-5398]
3/28/94	Reply brief filed by Appellant Cmercl Corp in 93-5396, Appellant Assocs Cmercl Corp in 93-5397, Appellant Assocs Cmercl Corp in 93-5398. Copies of Brief: 7 # of pages: 5. Sufficient [Y/N]: y.. [93-5396, 93-5397, 93-5398] Reply Brief ddl satisfied. (mrb) [93-5396 93-5397 93-5398]
6/24/94	Case calendared for oral argument. [93-5396, 93-5397, 93-5398] (gam) [93-5396 93-5397 93-5398]
9/13/94	Opinion filed. If published # of pages: 6 Issue Mandate due on 10/4/94 in 93-5396, in 93-5397, in 93-5398 . [93-5396, 93-5397, 93-5398] (dmt) [93-5396 93-5397 93-5398]

DATE	PROCEEDINGS
9/13/94	Judgment entered and filed. [93-5396, 93-5397, 93-5398] (dmt) [93-5396 93-5397 93-5398]
9/23/94	Petition filed by Appellee Elray Rash in 93-5396, Appellee Jean E Rash in 93-5396, Appellee Elray Rash in 93-5397, Appellee Jean E Rash in 93-5397, Appellee Elray Rash in 93-5398, Appellee Jean E Rash in 93-5398 for rehearing. # of copies filed: 4 [143601-1] Issue Mandate ddl canceled. [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]
9/27/94	Suggestion filed by Appellee Elray Rash in 93-5396, Appellee Jean E Rash in 93-5396, Appellee Elray Rash in 93-5397, Appellee Jean E Rash in 93-5397, Appellee Elray Rash in 93-5398, Appellee Jean E Rash in 93-5398 for rehearing en banc. # of copies filed: 20 [143664-1] [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]
10/14/94	Response/opposition filed by Appellant Assocs Cmercl Corp in 93-5396, Appellant Assocs Cmercl Corp in 93-5397, Appellant Assocs Cmercl Corp in 93-5398 to petition for rehearing [143601-1] by Appellee by Elray Rash, Appellee, Jean E Rash, Appellee, Elray Rash, Appellee, Jean E Rash, Appellee, Elray Rash, Appellee, Jean E Rash in 93-5396, petition for rehearing [143601-1] by Appellee by Elray Rash, Appellee, Jean E Rash, Appellee, Elray Rash, Appellee, Jean E Rash, Appellee, Elray Rash, Appellee, Jean E Rash in 93-5397, petition for rehearing [143601-1] by Appellee by Elray Rash, Appellee, Jean E Rash, Appellee, Elray Rash, Appellee, Jean E Rash, Appellee, Elray Rash, Appellee, Jean E Rash in 93-5398 [144070-1] [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]
10/14/94	Response/opposition filed by Appellant Assocs Cmercl Corp in 93-5396, Appellant Assocs Cmercl

DATE	PROCEEDINGS
	Corp in 93-5397, Appellant Assocs Cmercl Corp in 93-5398 to suggestion for rehearing en banc [143664-1] by Appellee by Elray Rash, Appellee, Jean E Rash, Appellee, Elray Rash, Appellee, Jean E Rash, Appellee, Elray Rash, Appellee, Jean E Rash in 93-5396, suggestion for rehearing en banc [143664-1] by Appellee by Elray Rash, Appellee, Jean E Rash, Appellee, Elray Rash, Appellee, Jean E Rash in 93-5397, suggestion for rehearing en banc [143664-1] by Appellee by Elray Rash, Appellee, Jean E Rash, Appellee, Elray Rash, Appellee, Jean E Rash, Appellee, Elray Rash, Appellee, Jean E Rash in 93-5398 [144075-1] [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]
8/16/95	COURT Order filed (PUBLISHED) denying petition for rehearing [143601-1] in 93-5396, denying petition for rehearing [143601-1] in 93-5397, denying petition for rehearing [143601-1] in 93-5398 (JES) (RMP—DISSENTING) Copies to all counsel. [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]
10/18/95	COURT Order filed granting suggestion for rehearing en banc [143664-1] with Argument (Y/N)? y Before: All active judges (except Judges Garwood, Higginbotham and Jones, who are recused) and Judge Reynaldo G. Garza. A/Pet Supplemental Brief due on 11/17/95 for Assocs Cmercl Corp 93-5396, for Assocs Cmercl Corp in 93-5397, for Assocs Cmercl Corp in 93-5398. E/Res Supplemental Brief due on 12/18/95 for Jean E Rash in 93-5396, for Elray Rash in 93-5396, for Jean E Rash in 93-5397, for Elray Rash in 93-5397, for Jean E Rash in 93-5398, for Elray Rash in 93-5398. Amicus Brief due on 12/4/95 for Natl Assoc Consum Bn in 93-5396, for NationsBank Corp in 93-5396, for Mercedes-Benz Credit in 93-5396, for Natl Assoc Consum Bn in 93-5397, for

DATE	PROCEEDINGS
	NationsBank Corp in 93-5397, for Mercedes-Benz Credit in 93-5397, for Natl Assoc Consum Bn in 93-5398, for NationsBank Corp in 93-5398, for Mercedes-Benz Credit in 93-5398 in 93-5396, 93-5397, 93-5398 () Copies to all counsel. [93-5398 in 93-5396, 93-5397, 93-5398] (jmg) [93-5396 93-5397 93-5398]
10/18/95	Case reopened. [93-5396, 93-5397, 93-5398] (jmg) [93-5396 93-5397 93-5398]
11/3/95	Case tentatively calendared for En Banc oral argument Week of: 01/15/96. [93-5396, 93-5397, 93-5398] (gam) [93-5396 93-5397 93-5398]
11/17/95	Supplemental brief filed by Appellant Assocs Cmercl Corp in 93-5396, Appellant Assocs Cmercl Corp in 93-5397, Appellant Assocs Cmercl Corp in 93-5398. Copies of Brief: 20 # of pages: 43. [93-5396, 93-5397, 93-5398] A/Pet Supplemental Brief ddl satisfied. (mrb) [93-5396 93-5397 93-5398]
11/30/95	Case calendared for oral argument. [93-5396, 93-5397, 93-5398] (gam) [93-5396 93-5397 93-5398]
12/18/95	Supplemental brief filed by Appellee Jean E Rash in 93-5396, Appellee Elray Rash in 93-5396, Appellee Jean E Rash in 93-5397, Appellee Elray Rash in 93-5397, Appellee Jean E Rash in 93-5398, Appellee Elray Rash in 93-5398 Copies of Brief: 21 # of pages: 45. [93-5396, 93-5397, 93-5398] E/Res Supplemental Brief ddl satisfied. (mrb) [93-5396 93-5397 93-5398]
12/20/95	CLERK Order filed granting motion for reconsideration [182391-1] in 93-5396, granting motion for reconsideration [182391-1] in 93-5397, granting motion for reconsideration [182391-1] in 93-5398 Copies to all counsel. [93-5396, 93-5397, 93-5398] The brief of the Association of International Automobile Manufacturers, Inc and Amer-



DATE	PROCEEDINGS
	ican Financial Services will be filed as amici curiae. (mrb) [93-5396 93-5397 93-5398]
1/16/96	Oral argument heard. Case argued by Pamela Arnold Bassel for Amicus Curiae Bank of America TX, Amicus Curiae Hibernia Natl Bank, Amicus Curiae NationsBank Corp in 93-5396, Ben L Aderholt for Appellant Assocs Cmercl Corp in 93-5396, John J Durkay for Appellee Elray Rash, Appellee Jean E Rash in 93-5396, Norma Lorraine Hammes for Amicus Curiae Natl Assoc Consum Bn in 93-5396, [93-5396, 93-5397 93-5398] (sme) [93-5396 93-5397 93-5398]
7/30/96	Opinion filed. Issd in T form? y Issue Mandate due on 8/20/96 in 93-5396, in 93-5397, in 93-5398 . [93-5396, 93-5397, 93-5398] (rmf) [93-5396 93-5397 93-5398]
7/30/96	Judgment entered and filed. [93-5396, 93-5397, 93-5398] (rmf) [93-5396 93-5397 93-5398]
8/29/96	Mandate issued. Approved BOC Issued (Y/N)? : n [93-5396, 93-5397, 93-5398] Issue Mandate ddl satisfied. (lew) [93-5396 93-5397 93-5398]
9/5/96	Motion filed by Appellant Assocs Cmercl Corp in 93-5396, Appellant Assocs Cmercl Corp in 93-5397, Appellant Assocs Cmercl Corp in 93-5398 to recall and stay the mandate pending certiorari. [409294-1] Response/Opposition due on 9/17/96. 93-5396, in 93-5397, in 93-5398 . [93-5396, 93-5397, 93-5398] (van) [93-5396 93-5397 93-5398]
9/10/96	Response/Opposition filed by Appellee Jean E Rash in 93-5396, Appellee Elray Rash in 93-5396, Appellee Jean E Rash in 93-5397, Appellee Elray Rash in 93-5397, Appellee Jean E Rash in 93-5398, Appellee Elray Rash in 93-5398 to motion to recall the mandate [409294-1] by Appellant Assocs Cmercl Corp, in 93-5396, motion to recall the mandate [409294-1] by Appellant Assocs Cmercl Corp,

DATE	PROCEEDINGS
	in 93-5397, motion to recall the mandate [409294-1] by Appellant Assocs Cmercl Corp, in 93-5398 [412725-1] [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]
9/12/96	Reply filed by Appellant Assocs Cmercl Corp in 93-5396, Appellant Assocs Cmercl Corp in 93-5397, Appellant Assocs Cmercl Corp in 93-5398 to response/opposition [412725-1] by Appellee Jean E Rash,, Appellee Elray Rash in 93-5396, response/opposition [412725-1] by Appellee Jean E Rash, , Appellee Elray Rash in, 93-5397 response/opposition [412725-1] by Appellee Jean E Rash, Appellee Elray Rash in 93-5398 [412746-1] [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]
9/27/96	COURT Order filed denying motion to recall the mandate [409294-1] in 93-5396, denying motion to recall the mandate [409294-1] in 93-5397, denying motion to recall the mandate [409294-1] in 93-5398 (CDK) Copies to all counsel. [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]
10/1/96	Supreme Court notice that petition for certiorari was filed on 09/23/96. Supct. No.: 96-454 (mrb) [93-5396 93-5397 93-5398]
104/96	Record on appeal returned to USDC. Volumes: 4 . [93-5396, 93-5397, 93-5398] (mrb) [93-5396 93-5397 93-5398]

DATE \_\_\_\_\_

TO THE HONORABLE SECRETARY OF THE  
NAVY, WASHINGTON, D. C.

SUBJECT: [Illegible]

[Illegible text block]

[Illegible text block]

[Illegible text block]



UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF TEXAS BEAUMONT DIVISION		VOLUNTARY PETITION	
IN RE <i>Rash, Elray</i>	NAME OF JOINT DEBTOR <i>Jean E. Rash</i>		
ALL OTHER NAMES used by the debtor in the last 6 years		ALL OTHER NAMES used by the joint debtor in the last 6 years	
SOC. SEC. #/TAX I.D. # <i>453-62-4181</i>	SOC. SEC. #/TAX I.D. # <i>449-92-7668</i>		
STREET ADDRESS OF DEBTOR <i>716 N. Austin Street Jasper, TX 75951</i>		STREET ADDRESS OF JOINT DEBTOR <i>716 N. Austin Street Jasper, TX 75951</i>	
COUNTRY OF RESIDENCE OR BUSINESS <i>Jasper</i>		COUNTRY OF RESIDENCE OR BUSINESS <i>Jasper</i>	
MAILING ADDRESS OF DEBTOR		MAILING ADDRESS OF JOINT DEBTOR	
BUSINESS DEBTOR'S PRINCIPAL ASSET LOCATION		VENUE	
[X] Debtor's domicile, residence, or business assets are in this District.			
INFORMATION REGARDING DEBTOR			
DEBTOR TYPE: [X] Joint (Husband & Wife) DEBT NATURE: [X] Non-Business/Consumer		CHAPTER/SECTION: [X] Chapter 13 FILING FEE: [X] attached	
		NAME AND ADDRESS OF LAW FIRM OR ATTORNEY <i>Robert E. Barron, P.C. TBA No. 01820800 P. O. Box 1347 Nederland, TX 77627 Telephone No. (409) 727-0073</i>	
		ATTORNEY(S) REPRESENTING DEBTOR <i>Robert E. Barron, P.C.</i>	
		92-10305S	
		[ ] Debtor not represented by an attorney.	
STATISTICAL ADMINISTRATIVE INFORMATION (28 U.S.C. 604)			
[X] Funds will be available for unsecured creditors.			
ESTIMATED NO. OF CREDITORS:		[X] 16-49	
ESTIMATED ASSETS (thousands):		[X] 50-99	
ESTIMATED LIABILITIES (thousands):		[X] 50-99	
ESTIMATED NO. OF EMPLOYEES:		[X] Not Applicable	
ESTIMATED EQUITY SECURITY HOLDERS:		[X] Not Applicable	

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